

Matz, Nicholas

From: Brent Carson <brc@vnf.com>
Sent: Tuesday, March 13, 2018 7:37
To: Matz, Nicholas
Cc: 'Greg Glockner'
Subject: 2018 Comprehensive Plan Amendments

Nicholas,

Please forward this email to the Bellevue Planning Commission for its consideration at the March 14th Introductory Study Session on the 2018 Comprehensive Plan Amendments.

I am writing as counsel for Temple B'nai Torah (TBT), of which I am a congregant. TBT owns the property at 15727 NE 4th Street in Bellevue, King County Parcel No. 3525059082 (the TBT Property). The TBT Property is immediately west of and adjacent to the property owned by the Jewish Day School of Metropolitan Seattle (JDS). JDS has submitted docketing request 18-103963-AC for a proposed site-specific map change of 6.2 acres from Single Family-Low (SF-L) to Single Family-High (SF-H) and a zoning change from R1.8 to R5 for the JDS property at 15749 NE 4th St (Parcel Numbers 3525059047 and 3525059083). I am writing to express support for JDS's request and to suggest that the geographic scope of JDS's proposed map change be expanded to include the adjacent TBT Property.

TBT has a long and supportive history with the JDS. TBT acquired its property from JDS in 1996 and together obtained a conditional use permit for TBT to construct and operate a synagogue. TBT maintains a long term lease of classrooms at the JDS for TBT's religious school during periods of time that the JDS school is not in session. TBT and JDS share reciprocal easements across each other's properties for access and parking. Through a recorded covenant, TBT and JDS each have a right of first refusal to acquire the other's property. TBT has certain rights to acquire JDS's parcel 3525059083 under specific circumstances.

We understand that JDS is proposing no change of use or redevelopment of its property as part of its docketing application, but is simply seeking to bring the land use designation and zoning of its property in line with the surrounding properties (South of NE 4th Street) and consistent with Growth Management Act objectives. The JDS docketing application correctly notes that the current land use designation of its property (and the TBT property) is an historic remnant from when the JDS and TBT properties were occupied by a public elementary school. I support the reasoning expressed by JDS for bringing the land use designation and zoning in line with the surrounding properties.

The same reasoning for revising the land use designation and zoning of the JDS property applies equally as well to the TBT Property. TBT has no plans for redevelopment and looks forward to a long and continued presence at this site in Bellevue and continued joint use of the classrooms at JDS. Still, the City should use this opportunity to revise the land use designations for both the JDS and TBT properties to be consistent with the surrounding properties (South of NE 4th Street.). This suggestion to expand the geographic scope of the amendment proposal is consistent with the criteria in Bellevue Code 20.30I.140.F which reads:

F. When expansion of the geographic scope of an amendment proposal is being considered, shared characteristics with nearby, similarly-situated property have been identified and the expansion is the minimum necessary to include properties with those shared characteristics;

As I have explained, the TBT and JDS properties are immediately adjacent to each other, were originally one parcel that was occupied by a public elementary school, are both now occupied by non-for profit institutions (a private school and a synagogue), have the same land use and zoning designations, share other similar characteristics, and are the only two

properties south of NE 4th Street with a land use designation and zoning different from the other properties on that half of the block.

We support the JDS applicant and recommend that, if this application is accepted for the 2018 Comprehensive Plan Amendments, the geographic scope of the proposed change be expanded to include the TBT Property.

Thank you for your consideration of these comments.

Brent Carson | Partner

**VanNess
Feldman** LLP

719 Second Avenue, Suite 1150
Seattle, Washington 98104-1728

(206) 623-9372 | brc@vnf.com | vnf.com

This communication may contain information and/or metadata that is legally privileged, confidential or exempt from disclosure. If you are not the intended recipient, please do not read or review the content and/or metadata and do not disseminate, distribute or copy this communication. Anyone who receives this message in error should notify the sender immediately by telephone (206-623-9372) or by return e-mail and delete it from his or her computer.